

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

88

VS.

308

MAGISTRATE ACTION NO. C-12-185

CHRISTOPHER DALE GAINES

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MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

(1) There is probable cause to believe the defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in 18 U.S.C. § 2252; and

(2) The defendant has not rebutted the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

The evidence against the defendant is substantial. The findings and conclusions contained in the paragraphs one through six of the Pretrial Services Report are adopted, supplemented by the testimony of Det. Lynch. The defendant currently has no place to live, and he has not produced a co-surety or third party custodian. This order denying bond is entered without prejudice to the defendant's right to request reconsideration after he proffers a co-surety, a third-party custodian, and a suitable residence.

The defendant is committed to the custody of the United States Marshal or his

designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 29th day of February, 2012.



B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE